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Attorney Docket 054800-5013-01 1600/20

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Roderic M.K. Dale**Application No. **09/669,033**Filed: **September 25, 2000**For: **Method for Detecting Nucleic Acid  
Sequences**Group Art Unit: **1637**Examiner: **Young J. Kim**Commissioner for Patents  
Washington, D.C. 20231**NOTICE OF APPEAL TO BOARD OF PATENT APPEALS & INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated October 23, 2002 (Paper No. 12) of the Examiner finally rejecting claims 18-28.

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a). Applicant petitions for a three month extension of time from January 23, 2003 to April 23, 2003, the small entity fee for which is **\$465.00** as set forth in 37 C.F.R. 1.17(a)-(d). If an additional extension of time is required, please consider this a Petition therefor.

The Commissioner is hereby authorized to charge **\$625.00** to Deposit Account No. 50-0310 for payment of the small entity three-month extension of time fee (\$465.00) and the small entity Notice of Appeal Fee (\$160.00). The Commissioner is hereby authorized to charge any additional fees due to Deposit Account No. 50-0310.

**Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **April 23, 2003**  
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Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

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02 FC:2401 160.00 CH